

MEETINGS TO DATE 19
 NO. OF REGULARS 16
 NO. OF SPECIALS 3

LANCASTER, NEW YORK
 AUGUST 20, 1979

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 20th day of August, 1979 at 8:00 P.M. and there were:

PRESENT:

STANLEY JAY KEYSA, SUPERVISOR
 JOSEPH R. BARNHARDT, COUNCILMAN
 PETER J. BOLENDER, COUNCILMAN
 ARTEL J. METZ, COUNCILMAN

ABSENT:

EDWARD A. BERENT

ALSO PRESENT:

ROBERT P. THILL, TOWN CLERK
 DOMINIC J. TERRANOVA, TOWN ATTORNEY
 RICHARD J. SHERWOOD, DEPUTY TOWN ATTORNEY
 EDWARD J. FERON, JR., TOWN ENGINEER
 ROBERT W. URBAN, HIGHWAY SUPERINTENDENT
 ROBERT L. LANEY, DEPUTY BUILDING INSPECTOR

BID OPENINGS:

None

PUBLIC HEARING SCHEDULED FOR 8:00 P.M.:

At 8:00 P.M., the Town Board was scheduled to hold a Public Hearing to hear all interested parties for or against a proposed local law which would authorize Games of Chance within the Town of Lancaster subject to a mandatory referendum.

The Supervisor and the Town Clerk reported that the official newspaper of the Town of Lancaster made an error when they set up the type for the Legal Notice and inadvertantly did not enter into the Legal Notice the time and place of the public hearing scheduled to be held, therefore, the Town Attorney ruled the Legal Notice insufficient and recommended that a new public hearing be set.

The Town Board, later in the meeting, adopted a new resolution setting forth a public hearing on this matter on Tuesday, September 4, 1979,

At 8:30 P.M., the Town Board held a Public Hearing to hear all interested parties and citizens upon amendments to the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated Chapter 46 of the Code of the Town of Lancaster.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

PROPOSERS

None

OPPOSERS

None

ON MOTION BY COUNCILMAN METZ, AND SECONDED BY COUNCILMAN BARNHARDT AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:32 P.M.

The Town Board, later in the meeting, adopted a resolution hereinafter spread at length in these minutes, approving the proposed amendment.

OFFICIAL REPORTS:

None

COMMITTEE REPORTS:

Councilman Barnhardt, for the Street Lighting Committee, presented a street lighting plan for Heritage Hills Subdivision and recommended that the Town Board adopt the plan as the official street lighting plan for Heritage Hills Subdivision.

The Town Clerk was directed to prepare a confirmation resolution for the Town Board meeting of September 4, 1979.

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCILMEN:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER, TO WIT:

RESOLVED, that the minutes of the meeting of the Town Board of the
Town of Lancaster, held August 6, 1979, as presented by the Town Clerk, be and
hereby are approved.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	WAS ABSENT
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

~~duky~~
The resolution was thereupon unanimously adopted.

August 20, 1979

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BOLENDER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
METZ , TO WIT:

WHEREAS, a Public Hearing was held on the 20th day of August, 1979,
for the purpose of amendment of Chapter 45, Vehicle and Traffic Ordinance of
the Code of the Town of Lancaster, and persons for and against such amendment
have had an opportunity to be heard, and

WHEREAS, Notice of said Public Hearing was duly published and posted;
NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That Chapter 46, Vehicle and Traffic Ordinance of the Code of the
Town of Lancaster, be amended as proposed, and

2. That said amendment be added in the minutes of the meeting of the
Town Board of the Town of Lancaster held on the 20th day of August, 1979, and

3. That a certified copy thereof be published in the Lancaster
Enterprise on August 23, 1979, and

4. That a certified copy of this amendment be posted on the Town
Bulletin Board, and

5. That Affidavits of Publication and Posting be filed with the Town
Clerk.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT WAS ABSENT

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

The resolution was thereupon unanimously adopted.

August 20, 1979

LEGAL NOTICE
 NOTICE OF ADOPTION
 OF
 AMENDMENT TO
 VEHICLE AND TRAFFIC ORDINANCE
 OF
 THE TOWN OF LANCASTER
 COUNTY OF ERIE, STATE OF NEW YORK
 DESIGNATED CHAPTER 46 OF THE CODE OF THE TOWN OF LANCASTER

The Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, State of New York, designated Chapter 46 of the Code of the Town of Lancaster, is hereby amended as follows:

The following amendments shall be added to said Chapter 46, Vehicle and Traffic Ordinance of the Code of the Town of Lancaster:

ARTICLE V - One-way Roadways, is hereby amended by adding thereto:

- C. That portion of Heritage Drive situate west of a traffic mall located in the center of the roadway is hereby designated for one-way traffic in a southerly direction from the intersection of Pleasant View Drive with Heritage Drive south to a point 160 feet from said intersection.
- D. That portion of Heritage Drive situate east of a traffic mall located in the center of the roadway is hereby designated for one-way traffic in a northerly direction from the intersection of Pleasant View Drive with Heritage Drive to a point 160 feet south of said intersection.

ARTICLE VIII - Stop and Yield Intersections-

Section 46-8, Stop Intersections designated, is hereby amended by adding thereto:

<u>STREET</u>	<u>DIRECTION</u>	<u>ENTRANCE STREET</u>	<u>TRAFFIC STOPS</u>	<u>SIGN LOCATION</u>
Pleasant View Dr.	East-West	Heritage Dr.	Northbound	SE Corner
Heritage Dr.	North-South	Orchard Common	Westbound	NE Corner
Heritage Dr.	North-South	Birchwood Common	Eastbound	SW Corner
Walden Ave.	East-West	Ward Road	Southbound	NW Corner

ARTICLE X - Parking, Standing and Stopping:-

Section 46-12, Parking prohibited in designated locations, is amended by deleting therefrom "A" (8) and enacting in place thereof, the following:

- A. (8). On the east and west sides of Bowen Road from its intersection with Broadway southerly to a point 1600 feet north of the intersection of Bowen Road and William Street.

Section 46-12, Parking prohibited in designated locations, is amended by deleting therefrom: "A" (9).

Section 46-12, Parking prohibited in designated locations, is amended by adding thereto:

- A. (13). Pleasant Meadow Subdivision.
 - i. On both sides of Cloverfield Court from its intersection with Bridlepath Lane, northerly to a point 120 feet from said intersection.

(14). Heritage Hills Subdivision.

- a. East side of Heritage Drive from its intersection with Pleasant View Drive to a point 200 feet south of said intersection.
- b. West side of Heritage Drive from its intersection with Pleasant View Drive to a point 400 feet south and west of said intersection.
- c. On the south and east sides of Heritage Drive from a point 400 feet southwest of the intersection of Pleasant View Drive and Heritage Drive to a point 1300 feet southwest of said intersection.
- d. On the north side of Heritage Drive from a point 1300 feet southwest of the intersection of Heritage Drive and Pleasant View Drive to a point 1600 feet from said intersection.
- e. On the south and west sides of Heritage Drive from a point 1600 feet from its intersection with Pleasant View Drive to a point 2300 feet from said intersection.
- f. On the north side of Birchwood Common from its intersection with Heritage Drive to a point 500 feet west of said intersection.
- g. On Birchwood Common entirely around the rotary island at the west end of said street.
- h. On the north side of Orchard Common from its intersection with Heritage Drive to a point 500 feet east of said intersection.
- i. On Orchard Common entirely around the rotary island at the east end of said street.

Section 46-13, Standing prohibited in designated locations, is amended by deleting therefrom, "A" (8), and enacting in place thereof, the following:

- A. (8). On the east and west sides of Bowen Road from its intersection with Broadway, southerly to a point 1600 feet north of the center of the intersection of Bowen Road and William Street.

Section 46-13, Standing prohibited in designated locations, is amended by deleting therefrom "A" (9).

Section 46-13, Standing prohibited in designated locations, is amended by adding thereto:

A. (13). Pleasant Meadow Subdivision

- i. On both sides of Cloverfield Court from its intersection with Bridlepath Lane, northerly to a point 120 feet from said intersection.

(14). Heritage Hills Subdivision

- a. East side of Heritage Drive from its intersection with Pleasant View Drive to a point 200 feet south of said intersection.

- b. West side of Heritage Drive from its intersection with Pleasant View Drive to a point 400 feet south and west of said intersection
- c. On the south and east sides of Heritage Drive from a point 400 feet southwest of the intersection of Pleasant View Drive and Heritage Drive to a point 1300 feet southwest of said intersection..
- d. On the north side of Heritage Drive from a point 1300 feet southwest of the intersection of Heritage Drive and Pleasant View Drive to a point 1600 feet from said intersection.
- e. On the south and west sides of Heritage Drive from a point 1600 feet from its intersection with Pleasant View Drive to a point 2300 feet from said intersection.
- f. On the north side of Birchwood Common from its intersection with Heritage Drive to a point 500 feet west of said intersection.
- g. On Birchwood Common entirely around the rotary island at the west end of said street.
- h. On the north side of Orchard Common from its intersection with Heritage Drive to a point 500 feet east of said intersection.
- i. On Orchard Common entirely around the rotary island at the east end of said street.

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: ROBERT P. THILL
Town Clerk

August 20, 1979

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , TO WIT:

WHEREAS, the General Municipal Law of the State of New York, Article
9-A, provides for the licensing of games of chance, and

WHEREAS, the Town Board of the Town of Lancaster desires to implement
a Local Law to regulate and license games of chance within the Town, and

WHEREAS, the Town Board of the Town of Lancaster deems it in the
public interest to adopt and enact the proposed "Local Law No. 4 of the
Year 1979, to be known as "Games of Chance", which reads as follows:

GAMES OF CHANCE
CHAPTER 21

LICENSING OF GAMES OF CHANCE

LOCAL LAW NO. 4
1979

A LOCAL LAW TO PROVIDE FOR THE LICENSING AND REGULATION OF
GAMES OF CHANCE.

- 21.1 Authority; Title
- 21.2 Definitions
- 21.3 Games of Chance Authorized
- 21.4 Conduct of Games on Sunday
- 21.5 Restrictions
- 21.6 Sale of Alcoholic Beverages
- 21.7 Enforcement
- 21.8 Licensing Fee
- 21.9 Effective Date

Be it enacted by the Town Board of the Town of Lancaster, as follows:

21.1. Title.

This Local Law is enacted pursuant to the authority of Article Nine-A of the General Municipal Law of the State of New York, and shall be known as the "Games of Chance Law of the Town of Lancaster."

21.2. Definitions.

- A. The words and terms used in this Local Law shall have the same meaning as such words and terms are used in Article 9-A of the General Municipal Law, unless otherwise provided herein or the context requires a different meaning.
- B. As used herein, the following terms shall have the meanings indicated:

TOWN	-	The Town of Lancaster
CLERK	-	The Town Clerk of the Town of Lancaster
OFFICER	-	The Chief of Police of the Town of Lancaster shall be the Chief Law Enforcement Officer.

21.3. Games of Chance Authorized; License Required.

Games of Chance may be conducted in the Town by an authorized organization, after obtaining a license therefor from the Town Clerk of the Town of Lancaster, in accordance with the provisions, requirements and limitations of Article 9-A of the General Municipal Law, the rules and regulations of the New York State Racing and Wagering Board, and this Local Law.

21.4. Conduct of Games on Sunday.

The conduct of Games of Chance on Sundays is authorized, and licenses issued by the Town Clerk should specifically so provide, except as is otherwise provided in Article 9-A of the General Municipal Law, and in no event shall such Games of Chance be conducted on Easter Sunday, Christmas Day or New Year's Eve.

21.5. Restrictions.

Restrictions on the conduct of Games of Chance as authorized herein shall be as contained in Section One Hundred Eighty-Nine (§189) of the General Municipal Law.

21.6. Sale of Alcoholic Beverages.

The sale of alcoholic beverages at Games of Chance shall be restricted to the sale of beer only, and such sale is only authorized where the proper license has been obtained for the sale thereof.

21.7. Enforcement.

The Chief Law Enforcement Officer of the Town, the Chief of Police, shall exercise control over and supervision of all games of chance conducted under an appropriately issued license. Such officer shall have all those powers and duties set forth in Article 9-A of the General Municipal Law.

21.8. Licensing Fee.

The fee payable to the Town Clerk, upon issuance of a license, shall be in accordance with and as set out in the appropriate sections of the General Municipal Law.

21.9. Effective Date.

This Local Law shall take effect immediately upon proper posting and publication, as provided in the Town Law, provided that at a referendum at the general election held for the purpose of submitting this local law for approval by the electorate pursuant to the provisions of law, a majority of qualified electors of the Town, voting at said referendum, shall approve the same by voting for adoption of said local law.

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster, a Public Hearing on the proposed Local Law No. 4 of the Year 1979, also known as Chapter 21 of the Code of the Town of Lancaster, entitled, "Games of Chance", will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, at 8:15 P.M., Local Time, on the 4th day of September, 1979, and that Notice of the Time and Place of such Hearing be published on August 23, 1979, in the Lancaster Enterprise, being a newspaper of general circulation in said Town and Posted on the Town Bulletin Board, which Notice shall be in the following form:

LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 20th day of August, 1979, the said Town Board will hold a Public Hearing on the 4th day of September, 1979, at 8:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the proposed enactment of Local Law No. 4 of the Year 1979, also known as Chapter 21, of the Code of the Town of Lancaster, entitled, "Games of Chance", briefly described as follows:

"Local Law providing for the licensing, regulation and conduct of Games of Chance within the Town of Lancaster, as provided for under Article 9-A of the General Municipal Law and the rules and regulations as promulgated by the New York State Racing and Wagering Board, and further subject to approval by the majority of the qualified electors of the Town, voting at a mandatory referendum at the general election on November 6, 1979."

A complete copy of the proposed Local Law No. 4 of the Year 1979, entitled, "Games of Chance", is available at the office of the Town Clerk for inspection by and distribution to any person during business hours.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: ROBERT P. THILL
Town Clerk

August 20, 1979

and

BE IT FURTHER

RESOLVED, that the Town Clerk is directed to make copies of the proposed Local Law No. 4 of the Year 1979, for inspection by and distribution to any person during business hours.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	WAS ABSENT
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

~~copy~~
The resolution was thereupon unanimously adopted.

August 20, 1979

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BOLENDER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
METZ , TO WIT:

WHEREAS, the Highway Superintendent of the Town of Lancaster has requested the purchase of two (2) Fiberglass Abrasive Spreader Bodies for use of the Highway Department, and

WHEREAS, the Highway Committee of the Town Board recommends that such purchase be authorized,

NOW, THEREFORE, BE IT

RESOLVED, that Notice to Bidders, in form attached hereto and made a part hereof, be published in the Lancaster Enterprise and be posted according to law, that the Town Board will receive bids up to 8:00 o'clock P.M., Local Time, September 4th, 1979, to furnish two (2) Fiberglass Abrasive Spreader Bodies for the Highway Department of the Town of Lancaster, in accordance with specifications on file in the office of the Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT WAS ABSENT

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

duly

The resolution was thereupon unanimously adopted.

August 20, 1979

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LEGAL NOTICE
TOWN OF LANCASTER
NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed bids will be received by the Town Board of the Town of Lancaster, Erie County, New York, in the Council Chamber of the Town Hall, 21 Central Avenue, Lancaster, New York, up to 8:00 o'clock P.M., Local Time, September 4th, 1979, for furnishing to the Highway Department of the Town of Lancaster two (2) Fiberglass Abrasive Spreader Bodies, in accordance with specifications on file in the Town Clerk's Office in the Town Hall, 21 Central Avenue, Lancaster, New York.

A certified check or bid bond in an amount representing five per centum (5%) of the "Gross Bid", payable to the Supervisor of the Town of Lancaster, and a non-collusive bid certificate must accompany each bid.

The Board reserves the right to reject any or all bids and to waive any informalities.

BY ORDER OF THE TOWN BOARD OF THE
TOWN OF LANCASTER, NEW YORK

BY: ROBERT P. THILL
Town Clerk

August 20, 1979

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , TO WIT:

WHEREAS, the Agriculture and Markets Law of the State of New York requires the Town Board of each Town in the State of New York to appoint a resident or residents, designated as Enumerator or Enumerators, to prepare a list of the persons in such Town owning or harboring dogs,

NOW, THEREFORE, BE IT

RESOLVED, that the following persons be and are hereby appointed to the position of Dog Enumerators of the Town of Lancaster, including the Villages of Lancaster and Depew situate within the limits of the Town of Lancaster, for the October, 1979 Enumeration of Dogs:

Jean Sorrentino
49 Charlton
Lancaster, New York 14086

Eleanor Ball
571 Lake Avenue
Lancaster, New York 14086

Margaret Sorrentino
49 Charlton
Lancaster, New York 14086

Joan Friedhaber
30 Wilkshire Place
Lancaster, New York 14086

Gail Moch
35 Giele Avenue
Depew, New York 14043

Joyce Weremblewski
461 Aurora Street
Lancaster, New York 14086

Geraldine Velocci
37 Sawyer Avenue
Lancaster, New York 14086

James E. Vaughn
172 Central Avenue
Lancaster, New York 14086

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT WAS ABSENT

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

The resolution was thereupon unanimously adopted.

August 20, 1979

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
METZ , TO WIT:

WHEREAS, a certain on-site modification in the construction of the
fencing around the Town Park Swimming Pool has resulted in the necessity of
a change order, and

WHEREAS, the Town of Lancaster's Engineer has recommended such
change order be accepted by the Town of Lancaster and said change order is
on file with the Town Clerk,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized and
directed to execute the following change order:

Change Order No. 1:

1. Omit 20'-0" gate
2. Install two 12'-0" gates and an additional
4'-0" x 7'-0" as shown on revised drawing
SK-C dated 8/9/79.

ADDITION: \$500.00

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	WAS ABSENT
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

~~and~~
The resolution was thereupon unanimously adopted.

August 20, 1979

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
METZ, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster, by resolution dated August 6, 1979, has authorized the sale of various items of personal property owned by the Town of Lancaster which are no longer required for Town use and which were set forth in a letter dated July 16, 1979 from the Highway Superintendent to the Town Board, and

WHEREAS, the Highway Superintendent, by letter dated August 15, 1979, has requested authorization to add and delete certain items from the list of auction items to be sold,

NOW, THEREFORE, BE IT

RESOLVED, that the following additions and deletions to the schedule of items to be sold at public auction by the Town of Lancaster on August 25, 1979 be and are hereby authorized:

Add: 3M Copier
2 Cabinets
1 1/2" Portable Pump
1963 Brockway Dump, VIN 61082
Tire Changer
1974 Dodge Wagon, VIN DH46M4D209796
Arc Welder

Delete: One (1) "H" 10' Sander Body
One (1) 1967 Pickup Truck

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT WAS ABSENT

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

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The resolution was thereupon unanimously adopted.

August 20, 1979

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BOLENDER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
METZ , TO WIT:

BOND RESOLUTION OF THE TOWN OF LANCASTER,
NEW YORK, ADOPTED AUGUST 20, 1979, AUTHO-
RIZING THE PURCHASE OF TWO (2) SPREADER
BODIES FOR USE BY THE HIGHWAY DEPARTMENT,
AT AN ESTIMATED MAXIMUM COST OF \$10,500 EACH,
AND STATING THE ESTIMATED TOTAL COST OF SAID
ITEMS OF A SPECIFIC OBJECT OR PURPOSE IS
\$21,000, APPROPRIATING SAID AMOUNT THEREFOR
INCLUDING \$1,050 DOWN PAYMENT TO BE PROVIDED
FROM THE HIGHWAY FUND AND AUTHORIZING THE
ISSUANCE OF \$19,950 SERIAL BONDS OF THE TOWN
TO FINANCE THE BALANCE OF SAID APPROPRIATION.

RESOLVED BY THE TOWN BOARD OF THE TOWN OF LANCASTER, IN
THE COUNTY OF ERIE, NEW YORK (by the favorable vote of not less
than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town of Lancaster (herein called "Town"),
in the County of Erie, New York, is hereby authorized to purchase
two (2) fiberglass abrasive spreader bodies for use by the High-
way Department of the Town at an estimated maximum cost of
\$10,500 each. The estimated total cost of said items of a specific
object or purpose, including preliminary costs and costs incidental
thereto and the financing thereof, is \$21,000 and said amount
is hereby appropriated therefor, including the amount of \$1,050
as a down payment to be provided from the Highway Fund. The
plan of financing includes the expenditure of \$1,050 from the
Highway Fund to be applied towards the cost of said spreader
bodies, the issuance of \$19,950 serial bonds of the Town to
finance the balance of the appropriation and the levy of a
tax upon all the taxable real property in the Town to pay the
principal of and interest on said bonds as the same shall
become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$19,950 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law").

Section 3. The following additional matters are hereby determined and stated:

(a) The period of probable usefulness of said items of a specific object or purpose for which the bonds authorized by this resolution are to be issued, within the limitations of §11.00 a. 28 of the Law, is five (5) years.

(b) Current funds are not required by the Law to be provided as a down payment prior to the issuance of the bonds herein authorized or of any notes issued in anticipation of the sale of such bonds, pursuant to Section 107.00 d. 4 of the Law; however, such current funds in the amount of \$1,050 have been duly authorized to be expended for said items of a specific object or purpose from the Highway Fund hereinabove referred to and the Supervisor is hereby directed to set aside said funds and to apply the same solely to said items of a specific object or purpose.

(c) The proposed maturity of the bonds authorized by this resolution may not exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and

credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes, or, the renewals of said Notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately.

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The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	WAS ABSENT
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

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The resolution was thereupon unanimously adopted.

August 20, 1979

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , TO WIT:

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RESOLVED BY THE TOWN BOARD OF THE TOWN OF LANCASTER, IN
THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. The Town Clerk is hereby directed to publish,
the foregoing bond resolution, in full, in the "LANCASTER
ENTERPRISE-JOURNAL", a newspaper published in Lancaster,
New York, and having a general circulation in said Town,
which newspaper is hereby designated as the official newspaper
of the Town for such publication, together with the Town
Clerk's statutory notice substantially in the form as pre-
scribed by Section 81.00 of the Local Finance Law of the
State of New York.

Section 2. This resolution shall take effect immediately.

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The question of the adoption of the foregoing resolution was
duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT WAS ABSENT

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

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The resolution was thereupon unanimously adopted.

August 20, 1979

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT, AND SECONDED
BY THE ENTIRE TOWN BOARD.

WHEREAS, confusion exists in a street, variously known as Central Avenue and Old Central Avenue, and

WHEREAS, it is the Town Board's intention, in order to reduce confusion in street names, to rename a portion of roadway variously known as Central Avenue and Old Central Avenue, running south from Pleasant View Drive and intersecting County Road 57-B, which gives access to Lancaster Central High School, and

WHEREAS, the Town Board feels that it would be fitting and appropriate to change the name of the aforesaid town road from Central Avenue or Old Central Avenue to "Forton Drive", in recognition of the long years of service to the Town of Lancaster, as a member and secretary of the Town Planning Board and member of the Lancaster Central School Board, by the late Raymond J. Forton, Jr.,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster announce its intention to rename a portion of town road running south from Pleasant View Drive and intersecting County Road 57-B and variously known as Old Central Avenue and Central Avenue, to "Forton Drive", and that concurrence of the Board of Trustees of the Lancaster Central School District be requested by the Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	WAS ABSENT
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

The resolution was thereupon unanimously adopted.

August 20, 1979

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, plans by a promoter to sponsor a rock concert at Lancaster Speedway on August 31, 1979, poses a unique public safety problem requiring legal action on the part of the Town of Lancaster, involving legal expertise and input of an unusual nature in order to cope with this problem, and

WHEREAS, it is in the public interest to retain special counsel to immediately address these problems and secure the rights of the residents and the government of the Town of Lancaster in order to insure and preserve public safety,

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Lancaster hereby retains the law firm of Lipsitz, Green, Fahringer, Roll, Schuller & James, to assist the Town Attorney's Office, as Special Counsel, at the usual and customary legal rates for their service to enforce the rights of the Town of Lancaster in order to meet a problem created by the scheduling of a proposed rock concert at the Lancaster Speedway on August 31, 1979, and problems arising therefrom, and

BE IT FURTHER

RESOLVED, that the Supervisor be and is hereby authorized to make such expenditures as shall be reasonably necessary to insure the public safety.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT WAS ABSENT

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

duly
The resolution was thereupon unanimously adopted.

August 20, 1979

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BOLENDER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
METZ , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby
ordered paid from their respective accounts:

<u>ACCOUNT</u>	<u>ORDER NUMBER</u>	<u>TOTAL AMOUNT</u>
General Funds	No. 8522 to 8615 Incl.	\$62,105.95
Part Town Funds	No. 739 to 741 Incl.	\$ 1,145.12
Highway Funds	No. 2531 to 2543 Incl.	\$ 9,956.10
Special District Funds	No. 399 to 401 Incl.	\$10,119.88
Trust & Agency Funds	No. 337 to 337 Incl.	\$ 4,442.00
Capital Fund	No. 407 to 410 Incl.	\$ 323.20
Community Development Fund	No. 1036 to 1038 Incl.	\$21,831.75

and,

BE IT FURTHER

RESOLVED, that the claim of Krehbiel Associates, Inc., dated August 7, 1979, in the amount of \$1,653.05 for the water lines at Storer Road and Transit Boulevard, the claim of Mr. Topsoil, dated August 8, 1979, in the amount of \$150.50 for the West Lancaster N.P.P. Drainage Improvements Project, and the claim of In-Home Support Services, dated August 13, 1979, in the amount of \$20,028.20 for expenses during the month of April, 1979, be and are hereby approved and the Supervisor be and is hereby ordered to submit these claims to the Community Development Program for reimbursement.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	WAS ABSENT
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

dxlx

The resolution was thereupon unanimously adopted.

August 20, 1979

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , TO WIT:

RESOLVED, that the following Building Permit Applications be and
are hereby approved and the issuance of Building Permits be and are hereby
authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
146	John Orkisz	117 Peppermint Rd.	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
147	James Czapla	36 Brunck Rd.	ER. FR. ALUM. SIN. DWLG, PVT. GARAGE
148	Metroplex Homes Inc.	4 Woodstream Dr.	ER. CONSTRUCTION SHED
149	Jeanette Dickinson	113 Ransom Rd.	ER. BRICK FIREPLACE
150	Michael Maher	68 Pleasant View	ER. STORAGE SHED AND ABOVE GR. POOL
151	Jos. Bartoszek	63 Fox Hunt Rd.	ER. STORAGE SHED
152	Paul Bitterman	12 Pheasant Run Lane	ER. POOL
153	Robert Putnam	137 Peppermint Rd.	ER. FR. PVT. GARAGE
154	August Klein	5464 Genesee St.	EXT. FR. PVT. GARAGE
155	Joseph Stachera	620 Columbia Ave.	EXT. FR. PVT. GARAGE
156	August Klein	5454 Genesee St.	ER. CONCRETE BLK. PVT. GARAGE
157	Dennis Richards	36 Nichter Rd.	DEM. FR. PVT. GARAGE
158	Marrano Enter.	5 Bridlepath Lane	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
159	Marrano Enter.	9 Ravenwood Dr.	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
160	Marrano Enter.	2 Farmingdale Ct.	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
161	Marrano Enter.	23 Fox Hunt Rd.	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
162	Gary Case	202 Peppermint Road	ER. FR. SIN. DWLG, PVT. GARAGE

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES
COUNCILMAN BERENT WAS ABSENT
COUNCILMAN BOLENDER VOTED YES
SUPERVISOR KEYSA VOTED YES
COUNCILMAN METZ VOTED YES

The resolution was thereupon unanimously adopted.

August 20, 1979

Councilman Bolender requested a suspension of the necessary rule
for immediate consideration of the following resolution -
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BOLENDER, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
METZ, TO WIT:

WHEREAS, the Executive Director of the Youth Bureau, by letter
dated July 19, 1979, has requested the establishment of a Petty Cash Fund
in order to make the necessary purchases and in order to improve the
efficiency of the operation of the Youth Bureau and the Drug Abuse Prevention
Council,

NOW, THEREFORE, BE IT

RESOLVED, that the Executive Director of the Youth Bureau be and
hereby is authorized to establish and maintain a Petty Cash Fund in the
amount of \$100.00 for the Youth Bureau and Drug Abuse Prevention Council
of the Town of Lancaster, in strict accordance with Section 64 (1)a. of the
Town Law of the State of New York.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT WAS ABSENT

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

~~and~~

The resolution was thereupon unanimously adopted.

August 20, 1979

1. Court Street Bridge Rehabilitation
On August 6, 1979, the retained engineer on this project issued the contractor a "Notice to Proceed."
2. Grade Crossings - Schwartz Road Signalization
On July 11, 1979, the Town Clerk wrote a letter to the Consolidated Rail Corp. and forwarded to them a copy of the N.Y.S. Transportation Dept. order directing the installation of automotive protective devices at this grade crossing on or before December 1, 1979. On August 16, 1979, the Town Clerk received verbal assurance from the District Engineer of ConRail that this signalization would be complete by December 1, 1979.
3. Preferential Rights, Erie Lackawanna R.R.
On December 27, 1978, the Town Board authorized search and title work on this acquisition. On May 17, 1979, the Supervisor requested the Erie Lackawanna R.R. to provide the Monroe Abstract Title Corp. with legal descriptions of the lands proposed to be conveyed.
4. Public Improvement Permit Authorization, Countryside Subdivision (Josela)
On April 2, 1979, the Town Board authorized issuance of P.I.P. No. 66 (Storm Drain). On May 7, 1979, the Town Board authorized issuance of P.I.P. No. 67 (Water Line). On July 2, 1979, P.I.P. No. 68 (Paving and Curbs) was issued.
5. Public Improvement Permit Authorization, Heritage Hills Subdivision, Phase I
On July 16, 1979, the Town Board accepted the public improvements within Phase I for pavement and curbs, storm sewer and water line. A Letter of Credit secures the faithful performance of P.I.P. No. 65 (Retention Pond). The Town Board also previously authorized issuance of P.I.P. No. 69 (Street Lighting) and No. 70 (Sidewalk). Building permits are now being issued within this subdivision.
6. Public Improvement Permit Authorization, Woodview Estates Subdivision
On August 6, 1979, the Town Board accepted the public improvements within this subdivision for pavement and curbs, storm sewer, and water line. The Town Board also previously authorized issuance of P.I.P. No. 57 (Sidewalk) and No. 58 (Street Lighting) which have not yet been accepted by the Town Board.
7. Rezone Petition, Gelert Development Co., Inc.
On August 6, 1979, this petition was presented to the Town Board and referred to the Planning Board for review and recommendation.
8. Rezone Petition, National Pride Equipment, Inc.
On July 2, 1979, this petition was presented to the Town Board and referred to the Planning Board for report and recommendation.
9. Storer Road Water Lines
On July 16, 1979, the Town Board authorized Change Order No. 1
10. Subdivision Approval, Countryside East (Josela)
On January 15, 1979, this matter was presented to the Town Board and referred to the Planning Board for review and recommendation.
11. Subdivision Approval, Country View East (Marrano)
On July 16, 1979, the Town Board approved this subdivision and authorized the Town Attorney to file the appropriate map cover.

STATUS REPORT ON UNFINISHED BUSINESS:12. Traffic Study - Green Arrows at Central And Walden Avenues

On August 2, 1979, the County Executive, by letter, informed the Supervisor that the County Highway Dept. has scheduled a traffic movement study at this intersection and that the study will be undertaken as soon as possible.

PERSONS DESIRING TO ADDRESS TOWN BOARD:

Mrs. Edith Fuldauer, 12 Clark Street, asked the Town Board if the promoters for the rock concert at the Lancaster Speedway have provided the Town of Lancaster with adequate insurance protection.

The Supervisor informed Mrs. Fuldauer that they have not.

COMMUNICATIONS:DISPOSITION

- | | |
|---|------------------------|
| 606. Dog Warden to Town Board -
Monthly report for July, 1979 | R & F |
| 607. Highway Supt. to Town Board -
Notification that curb cuts in Old Schoolhouse
Subdivision do not conform to Town specifica-
tions and advisement of such has not resulted
in remedial work. | Attorney
Town Clerk |
| 608. Chief of Police to Councilman Barnhardt -
Comments regarding renaming of portions of
Central Avenue. | R & F
Attorney |
| 609. Town Clerk to Town Board -
Resume of actions taken in regards to Town
Board meeting of 8/6/79. | R & F |
| 610. N.Y.S. Workers' Compensation Board to Town
Clerk -
Notice of Decision regarding Peter Arena. | R & F |
| 611. Town Attorney to Giallanza Corp. -
Request submittal of alternate name for Old
Orchard Common with Heritage Hills Subdivision. | R & F |
| 612. Town Attorney to Town Board -
Extract of section of Town Law relating to
petty cash funds in regards to request by
Youth Bureau for same. | R & F |
| 613. Supervisor to Lehigh Valley Railroad Co. -
Comments and requests regarding possible
acquisition of railroad property. | R & F |
| 614. Supervisor to Dr. David R. Jerome -
Transmittal of correspondence and resolution
adopted by the Town Board regarding proposed
ARC site. | R & F |
| 615. Supervisor to N.F.T.A. -
Request information relative to possible
bus route alternatives. | R & F |
| 616. ARC to N.Y.S. Off. of Mental Retardation and
Development Disabilities -
Notification to cease proceeding with Appeal
regarding ARC site. | R & F |
| 617. Recreation Commission to Town Board -
Notification of violation to Town's Nepotism
Rule. | Town Clerk |
| 618. County Dept. of Environ. and Planning to Supervisor -
Notification of "Opt-out" Right, 1980 CD Program. | R & F |
| 619. N.Y.S. Preservation League to Supervisor -
Transmittal of announcement of new consultant
service grant program. | R & F |
| 620. Supervisor to N.Y.S. Off. of Mental Retardation and
Development Disabilities -
Transmittal of resolution regarding ARC site. | R & F |
| 621. County Dept. of Health to Town Board -
Transmittal of Approval of Completed Works for
public water supply improvement regarding Transit
Blvd. and Storer Rd. | R & F |

COMMUNICATIONS CONT'D.:DISPOSITION

622. Coalition of Northeast Municipalities to Supervisor - Notice of regional conference for municipal government policy leaders to be held at Boston, Mass. from 9/27-28/79.	R & F
623. Josela Enterprises Inc. to Town Attorney - Notification of submittal of New street name to replace present Old Orchard Road.	R & F
624. Town Clerk to N.Y.S. Racing & Wagering Board - Request attendance of Regional Supervisor at public hearing to be held 8/20/79 regarding "Games of Chance."	R & F
625. Town Clerk to Four Fire Chiefs and Presidents - Request attendance at inspection meeting to be held 9/15/79 and followup discussion meeting to be held 9/28/79.	R & F
626. Town Engineers to Town Board - Transmittal of estimated of cost of revisions and alterations to Town Hall.	R & F
627. Director of Recreation to Town Board - Transmittal of roster of seasonal help.	Town Clerk
628. County Dept. of Health to Town Board - Transmittal of Approval of Completed Works for public water in Woodview Subdivision.	Engineer
629. Supervisor to Lancaster Central School District - Comments on Job Incentive Program.	R & F
630. Lehigh Valley Railroad Company - Notification that prompt action will have to be taken by Town in order to have interests considered further regarding acquisition of abandoned property.	Supervisor
631. S.E. Community Work Center, Inc. to Town Board - Solicitation of financial support for 1980.	Budget Committee
632. N.Y.S. Board of Equalization and Assessment to Supervisor - Transmittal of Certificate of Final Special Franchise Assessments.	R & F
633. Town Clerk to Town Board - Notification that ConRail will have Schwartz Rd. signalized by 12/1/79.	R & F
634. N.Y.S. Thruway Authority to Town Clerk - Notification of rejection of request to erect fence on Markiewicz property but preparedness to use additional signing and police enforcement.	R & F
635. Recreation Commission to Town Board - Minutes from meeting held 7/10/79.	R & F
636. Highway Supt. to Town Board - Transmittal of additions and deletions to list of Town auction items.	R & F
637. Josela Enterprises Inc. to Town Board - Suggestion that Old Orchard Road street name be replaced with Country Place.	Chief of Police
638. Supervisor to Town Board - Notification of investment of funds with various banks during July, 1979.	R & F

COMMUNICATIONS CONT'D.:DISPOSITION

639. County Dept. of Finance to Supervisor -
Transmittal of report on apportionment and
distribution of 3% sales tax for period 6/1/79
through 6/30/79.

R & F

640. Bowmansville Vol. Fire Assn. to Supervisor -
Transmittal of concerns regarding safety
factors at rock concert to be held at Lancaster
Speedway on 8/31/79 with recommendations.

R & F

641. Assembly Ways and Means Committee to Supervisor -
Notice of public hearing to be held in Buffalo
on 9/24/79 regarding N.Y.S.'s role in the
in the fiscal affairs of its Local Governments.

R & F

642. Town Engineers to Supervisor -
Transmittal of Change Order No. 1 for revised
fencing around Town pool.

R & F

ADJOURNMENT:

ON MOTION OF COUNCILMAN BARNHARDT, AND SECONDED BY THE ENTIRE TOWN
BOARD AND CARRIED, the meeting was adjourned at 9:20 P.M.

Signed:

Robert P. Thill

Robert P. Thill, Town Clerk